

HOUSE BILL 76

Unofficial Copy
E1

2004 Regular Session
(4lr0858)

ENROLLED BILL
-- Judiciary/Judicial Proceedings --

Introduced by **Delegate Miller**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Crimes - Intentionally Causing a Person to Ingest Contaminating Food or**
3 **Drink - Bodily Fluid or Bodily Substance Knowingly and Willfully Causing**
4 **Another to Ingest Bodily Fluid**

5 FOR the purpose of ~~establishing the crime of intentionally causing a person to ingest~~
6 ~~bodily fluid without consent or by force or threat of force; defining a certain~~
7 ~~term; and generally relating to intentionally causing a person to ingest bodily~~
8 ~~fluid prohibiting a person from knowingly and willfully contaminating,~~
9 ~~attempting to contaminate, or conspiring to contaminate any drink, food, food~~
10 ~~product, or food supply by adding bodily fluid or a bodily substance; and~~
11 ~~generally relating to contaminating food or drink causing another to ingest~~
12 ~~bodily fluid without consent or by force or threat of force; establishing certain~~
13 ~~penalties; and generally relating to causing a person to ingest bodily fluid.~~

14 ~~BY adding to repealing and reenacting, with amendments,~~
15 ~~BY adding to~~
16 Article - Criminal Law

1 Section ~~3-215~~ ~~3-214(b)~~ 3-215
 2 Annotated Code of Maryland
 3 (2002 Volume and 2003 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article - Criminal Law**

7 ~~3-215.~~

8 (A) ~~IN THIS SECTION, "BODILY FLUID" MEANS SEMINAL FLUID, BLOOD, URINE,~~
 9 ~~OR FECES.~~

10 (B) ~~A PERSON MAY NOT INTENTIONALLY CAUSE ANOTHER TO INGEST BODILY~~
 11 ~~FLUID:~~

12 (1) ~~WITHOUT CONSENT; OR~~

13 (2) ~~BY FORCE OR THREAT OF FORCE.~~

14 (C) ~~A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON~~
 15 ~~CONVICTION IS SUBJECT TO IMPRISONMENT FOR NOT LESS THAN 2 YEARS AND NOT~~
 16 ~~EXCEEDING 10 YEARS.~~

17 ~~3-214.~~

18 (b) ~~A person may not knowingly and willfully contaminate, attempt to~~
 19 ~~contaminate, or conspire to contaminate any drink, food, food product, or food supply~~
 20 ~~by adding disease germs, bacteria, BODILY FLUID, A BODILY SUBSTANCE, poison, or~~
 21 ~~poisonous matter.~~

22 3-215.

23 (A) IN THIS SECTION, "BODILY FLUID" MEANS SEMINAL FLUID, BLOOD,
 24 URINE, OR FECES.

25 (B) A PERSON MAY NOT KNOWINGLY AND WILLFULLY CAUSE ANOTHER TO
 26 INGEST BODILY FLUID:

27 (1) WITHOUT CONSENT; OR

28 (2) BY FORCE OR THREAT OF FORCE.

29 (C) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY
 30 OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
 31 EXCEEDING 10 YEARS OR A FINE NOT EXCEEDING \$2,500 OR BOTH.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
 33 effect October 1, 2004.

